UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 31 2012

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Debra Hartman, Resident Manager
Celanese Ltd.
1989 Old Naples Road
Meredosia, Illinois 62665

Re: Notice of Violation/Finding of Violation
Celanese Ltd.
Meredosia, Illinois

Dear Ms. Hartman:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation and Finding of Violation (NOV/FOV) to Celanese Ltd. (you) under Section 113(a)(1) and (a)(3) of the Clean Air Act (CAA). We find that you are violating Sections 110 and 112 of the CAA, 42 U.S.C. §§ 7410 and 7412 and the Illinois State Implementation Plan, at your Meredosia, Illinois, facility.

We have several enforcement options under Sections 113(a)(1) and (3) of the CAA, 42 U.S.C. § 7413(a)(1) and (3). These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Constantinos Loukeris. You may call him at (312) 353-6198 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

George T. Czerniak
Director
Air and Radiation Division

Enclosure:

cc: Ray Pilapil, IEPA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:	)	
	)	
Celanese Ltd.	)	**NOTICE OF VIOLATION/**
Meredosia, Illinois	)	**FINDING OF VIOLATION**
	)	
	)	**EPA-5-13-IL-10**
Proceedings Pursuant to	)	
the Clean Air Act,	)	
42 U.S.C. §§ 7401 et seq.	)	
	)	

NOTICE OF VIOLATION/FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) finds that Celanese Ltd. (Celanese) is violating Sections 110 and 112 of the Clean Air Act (CAA), 42 U.S.C. §§ 7410 and 7412 and the Illinois State Implementation Plan (SIP), at its Meredosia, Illinois, facility (Facility). Specifically, Celanese is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Miscellaneous Organic Chemical Manufacturing at 40 C.F.R. Part 63, Subpart FFFF (MON or Subpart FFFF), the NESHAP from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater at 40 C.F.R. Part 63, Subpart G (HON), the National Emissions Standards for Equipment Leaks – Control Level 2 at 40 C.F.R. Part 63, Subpart UU (Subpart UU), the NESHAP for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or Process, at 40 C.F.R. Part 63, Subpart SS (Subpart SS), the General Provisions of the NESHAP (General Provisions), at 40 C.F.R., Part 63, Subpart A, and the Illinois SIP as follows:

Regulatory Authority

1. The CAA establishes a regulatory scheme designed to protect and enhance the quality of the nation's air so as to promote the public health and welfare and the productive capacity of its population. 42 U.S.C. § 7401(b)(1).

2. Section 110 of the CAA, 42 U.S.C. § 7410, requires each state to adopt and submit to EPA for approval a SIP that provides for the implementation, maintenance, and enforcement of the National Ambient Air Quality Standards (NAAQS).

3. Section 112 of the CAA, 42 U.S.C. § 7412, sets forth a national program for the control of Hazardous Air Pollutants (HAPs). Congress directed EPA to promulgate regulations establishing emission standards for each category or subcategory of major sources of HAPs. 42 U.S.C. § 7412(d)(1). These emission standards must require the maximum degree of reduction in emissions of HAPs that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts

and energy requirements, determines is achievable for the new or existing sources in the category or subcategory to which the emission standard applies. 42 U.S.C. § 7412(d)(2).

4. Section 113(a)(1) of the CAA, 42 U.S.C. § 7413(a)(1), authorizes the Administrator to initiate an enforcement action whenever, among other things, the Administrator finds that any person has violated or is in violation of a requirement or prohibition of an applicable implementation plan, regulation, or permit.

5. Pursuant to Section 112(d) of the CAA, 42 U.S.C. § 7412(d), EPA promulgated the MON on November 10, 2003. 68 Fed. Reg. 63888. The owner or operator of an existing affected source as of November 10, 2003 must comply with the provisions of this subpart no later than May 10, 2008, as required under 40 C.F.R. § 63.2445(b).

6. Pursuant to Section 112(d) of the CAA, 42 U.S.C. § 7412(d), EPA promulgated the HON on April 22, 1994. 59 Fed. Reg. 19468.

7. Pursuant to Section 112(d) of the CAA, 42 U.S.C. § 7412(d), EPA promulgated the General Provisions on March 16, 1994. 59 Fed. Reg. 12430.

8. Pursuant to Section 112(d) of the Act, 42 U.S.C. § 7412(d), EPA promulgated Subpart UU on June 29, 1999. 64 Fed. Reg. 34899.

9. Pursuant to Section 112(d) of the Act, 42 U.S.C. § 7412(d), EPA promulgated Subpart SS on June 29, 1999. 64 Fed. Reg. 34866.

10. On May 31, 1972, EPA approved Illinois Pollution Control Board (IPCB) Rule 102 as part of the federally enforceable SIP for the State of Illinois. *See* 37 Fed. Reg. 10862. IPCB Rule 102 is now set forth in the Illinois SIP at 35 Illinois Administrative Code (IAC) § 201.141, which states that "[n]o person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as...to cause or tend to cause air pollution in Illinois, or so as to violate the provisions of this Chapter."

11. The MON at 40 C.F.R. § 63.2440 provides that the MON applies to each miscellaneous organic chemical manufacturing affected source, which is the facility-wide collection of miscellaneous organic chemical manufacturing process units (MCPUs) and heat exchange systems, wastewater, and waste management units that are associated with manufacturing materials described in 40 C.F.R. § 63.2435(b)(1).

12. The MON at 40 C.F.R. § 63.2435(a) applies to owners or operators of MPCUs that are located at, or are part of, a major source of HAP emissions as defined in Section 112(a) of the CAA, 42 U.S.C. § 7412(a).

13. The MON at 40 C.F.R. § 63.2435(b) states that an MCPU includes equipment necessary to operate a miscellaneous organic chemical manufacturing process, as defined in 40 C.F.R. § 63.2550, that a) produces an organic chemical classified using the 1987 version of Standard Industrial Classification (SIC) code 282, 283, 284, 285, 286, 287, 289, or 386; an organic

chemical classified using the 1997 version of North American Industry Classification System (NAICS) code 325; quaternary ammonium compounds and ammonium sulfate produced with caprolactam; hydrazine; or organic solvents classified in any of the SIC or NAICS previously listed that are recovered using non-dedicated solvent recovery operations; b) processes, uses, or generates any of the organic HAP listed in Section 112(b) of the CAA or hydrogen halide and halogen HAP, as defined in 40 C.F.R. § 63.2550; and c) is not an affected source or part of an affected source under another subpart in Part 63, except for process vents from batch operations within a chemical manufacturing process unit, as identified in 40 C.F.R. § 63.100(j)(4). The MCPU also includes any assigned storage tanks and transfer racks; equipment in open systems that is used to convey or store water having the same concentration and flow characteristics as wastewater; and components such as pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, and instrumentations systems that are used to manufacture any material or family of materials described above.

14. The MON at 40 C.F.R. § 63.2480(a) states that the owner or operator of an affected source "must meet each requirement in table 6 to this subpart that applies to [its] equipment leaks, except as specified in paragraphs (b) through (d) of this section."

15. Table 6 to the MON states that for all equipment that is in organic HAP service, the owner or operator of an affected source must either comply with the requirements of Subpart UU or Subpart H of Part 63 and the requirements referenced therein, except as specified in 40 C.F.R. §§.63.2480(b) and (d), or comply with the requirements of Subpart F of Part 65 and the requirements referenced therein, except as specified in 40 C.F.R. §§ 63.2480(c) and (d).

16. Subpart UU at 40 C.F.R. § 63.1033(b)(1) requires each open-ended valve or line to be equipped with a cap, blind flange, plug, or second valve. The cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line, or during maintenance.

17. Subpart UU at 40 C.F.R. § 63.1026(b)(4) requires that each pump shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal. The owner or operator shall document that the inspection was conducted and the date of the inspection.

18. Subpart UU at 40 C.F.R. § 63.1028(c)(3)(i) requires that each agitator seal shall be checked by visual inspection each calendar week for indications of liquids dripping from the agitator seal. The owner or operator shall document that the inspection was conducted and the date of the inspection.

19. The MON at 40 C.F.R. § 63.2485(a) states that the owner or operator "must meet each requirement in table 7 to this subpart that applies to... wastewater streams and liquid streams in open systems within an MCPU, except as specified in paragraphs (b) through (o) of this section."

20. The MON at 40 C.F.R. § 63.2485(b) states that "[w]here § 63.105 and §§ 63.132 through 63.148 refer to compounds in table 9 of subpart G of this part 63, the compounds in tables 8 and 9 to this subpart apply for the purposes of this subpart."

21. Table 7 of the MON requires each process wastewater stream to comply with the requirements in §§ 63.132 through 63.148 of the HON and the requirements referenced therein, except as specified in § 63.2485.

22. The HON at 40 C.F.R. § 63.132(a)(1) requires the owner or operator to determine whether each process wastewater stream at a subject process unit is subject to "Group 1" or "Group 2" requirements for Table 9 compounds under the HON. For wastewater streams that are Group 1 for Table 9 compounds, the owner or operator must comply with the applicable HAP emission control requirements specified in § 63.132(a)(2).

23. The MON at 40 C.F.R. § 63.2485(c) provides that, in lieu of following § 63.132(c)(1)(i) and (ii) of the HON to determine whether a wastewater stream is Group 1 or Group 2, for the purposes of the MON, a process wastewater stream is Group 1 for compounds in tables 8 and 9 to this subpart if any of the conditions specified in paragraphs (c)(1) through (3) of this section are met: (1) the total annual average concentration of compounds in table 8 to this subpart is greater than or equal to 10,000 parts per million by weight (ppmw) at any flowrate, and the total annual load of compounds in table 8 to this subpart is greater than or equal to 200 lb/year; (2) the total annual average concentration of compounds in table 8 to this subpart is greater than or equal to 1,000 ppmw, and the annual average flowrate is great than or equal to 1 liter/minute; or (3) the combined total annual average concentration of compounds in tables 8 and 9 to this subpart is greater than or equal to 30,000 ppmw, and the combined total annual load of compounds in table 8 and 9 to this subpart is greater than or equal to 1 tpy.

24. The HON at 40 C.F.R. § 63.144 provides the test methods and procedures for determining applicability and Group 1/Group 2 determinations (determining which wastewater streams require control).

25. The MON at 40 C.F.R. § 63.2450(e)(2) requires that, if the owner or operator is reducing organic HAP emissions by vent emissions through a closed-vent system to a flare, the owner or operator must meet the requirements of Subpart SS at § 63.982(b) and the requirements referenced therein.

26. Subpart SS at 40 C.F.R. § 63.982(b) requires owners or operators that vent emissions through a closed vent system to a flare shall meet the requirements in § 63.983 for closed vent systems; § 63.987 for flares; § 63.997 (a), (b) and (c) for provisions regarding flare compliance assessments; the monitoring, recordkeeping, and reporting requirements referenced therein; and the applicable recordkeeping and reporting requirements of §§ 63.998 and 63.999.

27. Subpart SS at 40 C.F.R. § 63.983(b) requires owners or operators to meet certain inspection and monitoring requirements for subject closed vent systems. Subpart SS at 40 C.F.R.

§ 63.983(b)(1)(i) requires, for closed vent systems that are constructed of hard–piping, owners and operators shall conduct an initial inspection of the closed-vent system according to the procedures in paragraph (c) of this section and conduct annual inspections for visible, audible, or olfactory indications of leaks. Subpart SS at 40 C.F.R. § 63.983(c) provides that each closed vent system subject to this paragraph shall be inspected in accordance with Method 21 of 40 C.F.R. Part 60.

28. Subpart SS at 40 C.F.R. § 63.987(a) requires flares subject to this subpart shall meet the performance requirements in 40 C.F.R. § 63.11(b) (General Provisions).

29. The General Provisions at 40 C.F.R. § 63.11(b)(1) requires owners or operators using flares to comply with the provisions of this part to monitor these control devices to assure that they are operated and maintained in conformance with their designs.

30. The General Provisions at 40 C.F.R. § 63.11(b)(5) requires owners or operators using flares to comply, to operate such flares with the flame present at all times.

31. The MON at 40 C.F.R. § 63.2540 provides that Table 12 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to the owner or operator. Table 12 indicates that the Operation & Maintenance provisions of 40 C.F.R. §§ 63.6(e)(1) and (2), and the Startup, Shutdown, Malfunction Plan (SSMP) provisions of 40 C.F.R. §§ 63.6(e)(3)(i), (ii), and (v) through (viii), apply to owners or operators subject to the MON.

32. The General Provisions at 40 C.F.R. § 63.6(e)(1) provides that at all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

33. The MON at 40 C.F.R. § 63.2520(b)(4) and Table 11 provides that an owner or operator must submit a compliance report on a semi-annual basis.

34. Section 110(a)(1) of the CAA, 42 U.S.C. § 7410(a)(1), requires each state to adopt and submit to EPA for approval a SIP that provides for the implementation, maintenance, and enforcement of the NAAQS. Under Section 110(a) of the CAA, 42 U.S.C. § 7410(a), each SIP must include a permit program to regulate the modification and construction of any stationary source of air pollution as necessary to assure that NAAQS are achieved. Pursuant to Section 113(a) and (b) of the CAA, 42 U.S.C. § 7413(a) and (b), upon EPA approval, SIP requirements are federally enforceable under Section 113. Under 40 C.F.R. § 52.23, any permit limitation or condition contained within a permit issued under an EPA-approved program that is incorporated in a SIP, is a requirement of the SIP, and is federally enforceable under Section 113.

35. On July 25, 2006, Illinois EPA issued a revision to an existing Construction Permit for the Facility's VAE Unit (Revised Construction Permit 96070015) and a new Construction Permit for a modification (Cooling Loop Project) to the Facility's VAE Unit (Construction Permit 06010079).

36. Revised Construction Permit 96070015 at Special Condition 1.1.6(a)(ii) established limitations for emissions attributable to the operation of the Facility's VAE Unit from affected units that are shared with other departments, including a Volatile Organic Material (VOM) emission limitation for wastewater treatment at 12.28 tons/year.

37. Construction Permit 06010079 at Special Condition 1.1.6(a)(ii) established a revised VOM emission limitation of 22.15 tons/year for wastewater treatment from the Facility's VAE Unit upon start up of the modification to the unit.

38. Special Condition 1.1.7(a) of Revised Construction Permit 96070015 and Construction Permit 06010079 require Celanese to conduct regular analyses of the process wastewater stream from the VAE Unit, using EPA Method 624 or approved EPA test methods to determine detailed VOM contents of the stream(s). The permit condition under each permit further requires that these analyses shall be conducted on the combination of all VAE streams at least on an annual basis and the initial analyses shall be conducted by December 31, 2006.

Finding of Facts

39. Celanese owns and operates an emulsion polymer facility at 1989 Old Naples Road, Meredosia, Illinois (the Facility).

40. The Facility is a major source of HAP emissions as defined in Section 112(a) of the CAA, 42 U.S.C. § 7412(a).

41. The Facility contains at least one MCPU as that term is defined at 40 C.F.R. § 63.2435(b): the resin manufacturing process subject to the requirements of 40 C.F.R. Part 63, Subpart FFFF.

42. The Facility operates two production units as part of the MCPU, the VAE Production Unit (formerly known as the EVA Department) and the PE Production Unit.

43. In its semi-annual MON compliance report for the Facility dated March 2, 2009, and covering the reporting period of May 10, 2008 through December 31, 2008, Celanese identified the following deviations:

    a. Open-ended line by ethyl acrylate pump (ID No. 3629);
    b. Missed weekly visual pump inspection (May 17, 2008 through June 6, 2008) for Tag No. 3840;
    c. Missed weekly visual agitator inspections (May 17, 2008 through June 6, 2008) for Tag Nos.4019, 3766, and 3809;
    d. Missed weekly visual pump inspection (May 17, 2008 through May 23, 2008 and August 9, 2008 through August 22, 2008) for Tag No. 822303;
    e. Missed weekly visual agitator inspections (May 17, 2008 through May 23, 2008 and August 9, 2008 through August 22, 2008) for Tag Nos. 822255, 822284, 3736, and 3706;

f. Missed weekly visual pump inspection (December 20, 2008 through December 26, 2008) for Tag No. 822303;
g. Missed weekly visual agitator inspections (December 20, 2008 through December 26, 2008) for Tag Nos. 822284, 3736, 4548, and 3706;
h. Missed weekly visual pump inspections (November 8, 2008 through December 5, 2008) for Tag Nos. 3629 and 3651.

44. In its semi-annual MON compliance report for the Facility dated August 31, 2009, and covering the reporting period of January 1, 2009 through June 30, 2009, Celanese identified the following deviations:

a. Open-ended line in PE process unit catch tank;
b. Open-ended line in PE process unit Stripper 44;
c. Missed weekly visual pump inspection (January 1, 2009 through January 8, 2009) for Tag No. 822303;
d. Missed weekly visual agitator inspections (January 1, 2009 through January 8, 2009) for Tag Nos. 822255, 822284, 3736, 4548, and 3706;
e. Missed initial Method 21 and audio, visual, olfactory inspection of the closed-vent systems of the PE and VAE Process Units.

45. In its semi-annual MON compliance report for the Facility dated February 26, 2010, and covering the reporting period of July 1, 2009 through December 31, 2009, Celanese identified the following deviations:

a. Open-ended line in PE process unit catch tank ;
b. Open-ended line in PE process unit Stripper 44;
c. Missed weekly visual pump inspections (December 26, 2009 through December 31, 2009) for Tag Nos. 3639, 3651, 4219, 18766, and 4242;
d. Missed initial Method 21 and audio, visual, olfactory inspection of the PE and VAE process units;
e. Pilot light/flame failure for the flare servicing the PE process unit (October 22, 2009 and November 6, 2009).

46. In its semi-annual MON compliance report for the Facility dated August 31, 2010, and covering the reporting period of January 1, 2010 through June 30, 2010, Celanese identified the following deviations:

a. Open-ended line in PE process unit knock out pot bleeder line;
b. Pilot light/flame failure for the flare servicing the VAE process unit (January 5, 22, and 30, 2010 and March 8, 2010).

47. In its semi-annual MON report for the Facility dated February 24, 2011, and covering the reporting period of July 1, 2010 through December 31, 2010, Celanese identified the following deviations:

a. Open-ended line in PE process unit at the top of the Monomer Slow Add Tank;

b. Open-ended line in PE process unit bleeder line of the Slow Add Filter;
c. Open-ended line in PE process unit bleeder line of the Slow Add pump;
d. Pilot light/flame failure for the PE process unit (July 7, 2010 through July 8, 2010). Report states that actions were not consistent with the facility's SSMP as a new batch was loaded during the flare outage. Report further states that the flare outage resulted in excess emissions of approximately 34 pounds of vinyl acetate during the 21 hour duration of the event.

48. In two deviation reports for the Facility dated April 29, 2011 and July 1, 2011, Celanese reported improperly using a point of determination downstream as opposed to upstream of the Facility's process wastewater recovery system for determination of wastewater group status. Consequently wastewater streams from the VAE Process Unit and PE Process Unit were mischaracterized as Group 2 instead of Group 1.

49. In its semi-annual MON report for the Facility dated August 30, 2011, and covering the reporting period of January 1, 2011 through June 30, 2011, Celanese identified the following deviations:

a. Pilot light/flame failure for the PE process unit flare (March 11, 2011, April 10, 2011, April 13, 2011, May 8, 10, 17, 23, 2011).
b. Mischaracterization of wastewater stream as Group 2 instead of Group 1 due to improper group status determination involving the Facility's process wastewater recovery system.

50. In a deviation report for the Facility dated January 5, 2012, Celanese reported that a PE Process Unit vacuum pump effluent wastewater improperly was characterized as Group 2 when it was a Group 1 wastewater stream.

51. In a deviation report for the Facility dated January 24, 2012, Celanese reported that VOM wastewater emissions from the VAE Production Unit were higher than permitted limits established in Revised Construction Permit 96070015 and Construction Permit 06010079 for the years 2006 to 2008.. In a letter to Illinois EPA dated April 14, 2012, Celanese reported that annual VOM emissions from wastewater treatment at the VAE Production Unit in 2006 were 105.7 tons, which is above the applicable permit limit of 12.28 tons/year under Revised Construction Permit 96070015 at Special Condition 1.1.6(a)(ii), and in 2007 and 2008 were 132.7 tons/year and 36.3 tons/year, respectively, which were higher than the applicable permit limit of 22.15 tons/year under Construction Permit 06010079 at Special Condition 1.1.6(a)(ii).

52. Also in the January 24, 2012, deviation report for the Facility, Celanese reported that from 2006 through 2010, the Facility did not conduct annual sampling of the wastewater stream from the VAE Production Unit as required under Special Condition 1.1.7(a) of Revised Construction permit 96070015 and Construction Permit 06010079.

53. In its semi-annual MON report for the Facility dated February 29, 2012, and covering the reporting period of July 1, 2011 through December 31, 2011, Celanese identified the following deviations:

    a. The flame and pilot was lost on the PE process unit flare (July 7 and 28, 2011, August 8, 12, 14, 17, and 31, 2011, October 3, 2011, and November 16, 2011);
    b. PE Process Unit vacuum pump effluent wastewater improperly was characterized as Group 2 when it was a Group 1 wastewater stream;
    c. Celanese remains out of compliance with Group 1 wastewater requirements.

54. In the semi-annual MON report for the Facility dated August 31, 2012, and covering the reporting period of January 1, 2012 through June 30, 2012, Celanese identified the following deviations:

    a. Missed pump and agitator inspections for the PE process unit (May 19, 2012 through May 25, 2012);
    b. Pilot light/flame failure for the PE Process Unit flare (February 2, 2012, March 19, 2012, April 12, 2012, April 27, 2012, May 17, 2012, and June 21, 2012);
    c. Flame failure/flare smoking for the VAE Process Unit flare (March 12, 2012 and June 17, 2012).

Violations

55. Celanese failed to equip each open-ended line at the Facility with a cap, blind flange, plug, or second valve, in violation of the MON at 40 C.F.R. § 63.2480(a) and Subpart UU at 40 C.F.R. § 63.1033(b)(1).

56. Celanese failed to perform weekly visual pump inspections at the Facility, in violation of the MON at 40 C.F.R. § 63.2480(a) and Subpart UU at 40 C.F.R. § 63.1026(b)(4).

57. Celanese failed to perform weekly visual agitator inspections at the Facility, in violation of the MON at 40 C.F.R. § 63.2480(a) and Subpart UU at 40 C.F.R. § 63.1028(c)(3)(i).

58. Celanese failed to timely perform an initial closed vent system inspection in accordance with EPA Method 21 and conduct an annual inspection for visible, audible, or olfactory indications of leaks for the closed-vent systems of the PE and VAE Process Units at the Facility, in violation of the MON at 40 C.F.R. § 63.2450(e)(2) and Subpart SS at 40 C.F.R. § 63.983(b)(1)(i) and (c).

59. Celanese failed to timely conduct a proper group status determination at points of determination of process wastewater from the VAE and PE Production Units upstream of the Facility's process water recovery system and since May 10, 2008, meet applicable requirements for Group 1 wastewater streams specified under 40 C.F.R. § 63.132, in violation of the MON at 40 C.F.R. § 63.2485(a) and the HON at 40 C.F.R. §§ 63.132(a) and 63.144.

60. Celanese failed to timely make a proper group wastewater stream determination and, between October 8, 2008 through December 22, 2011, to meet applicable requirements for Group 1 wastewater streams specified under 40 C.F.R. § 63.132, for a second Group 1 wastewater stream from the PE Production Unit in violation of the MON at 40 C.F.R. § 63.2485(a) and the HON at 40 C.F.R. §§ 63.132(a) and 63.144.

61. Celanese failed to operate a flare at the Facility with a flame present at all times in violation of the MON at 40 C.F.R. § 63.2450(e)(2), Subpart SS at 40 C.F.R. § 63.982(b), and the General Provisions at 40 C.F.R. § 63.11(b)(5).

62. Celanese failed to operate and maintain its flare emission controls at the Facility in a manner consistent with safety and good air pollution control practices for minimizing emissions, in violation of the MON at 40 C.F.R. § 63.2540 and the General Provisions 40 C.F.R. § 63.6(e)(1).

63. Celanese failed to meet annual wastewater emission limitations under at Special Condition 1.1.6(a)(ii) of Revised Construction Permit 96070015 and Construction Permit 06010079 for the years 2006 through 2010, in violation of the Construction Permits and the Illinois SIP.

64. Celanese failed to conduct annual wastewater sampling required under Special Condition 1.1.7(a) of Revised Construction Permit 96070015 and Construction Permit 06010079 for the years 2006 through 2010, in violation of the Construction Permits and the Illinois SIP.

12/31/12

Date

George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice of Violation and Finding of Violation, No. EPA-5-13-IL-10, by Certified Mail, Return Receipt Requested, to:

Debra Hartman, Resident Manager
Celanese Ltd.
1989 Old Naples Road
Meredosia, Illinois 62665

I also certify that I sent copies of the Notice of Violation and Finding of Violation by first-class mail to:

Ray Pilapil, Manager
Bureau of Air, Compliance and Enforcement Section
Illinois Environmental Protection Agency
P.O. Box 19506
Springfield, Illinois 62794

On the 4th day of January 2013.

Loretta Shaffer
Administrative Program Assistant
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7669 7293